COVAD™

6 December 2001

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: BellSouth Corp. Georgia/Louisiana, CC Docket No. 01-277

Dear Ms. Salas:

    On December 4, 2001, BellSouth Corporation (BellSouth) filed an *ex parte* letter
in the above-referenced docket responding to a staff request for information concerning,
inter alia, IDSL loop performance.[1] As Covad has already discussed in its comments in
this proceeding, the prevalence of digital loop carrier and similar remote terminal
technology in the BellSouth region means that the majority of loops that Covad orders
from BellSouth in Georgia and Louisiana are IDSL loops. As such, provisioning of IDSL
loops is of paramount importance to Covad and its broadband customers. As BellSouth
notes in its December 4, 2001, letter, "[i]n the BellSouth region, IDSL LSRs must be
submitted manually."[2] In other words, BellSouth does not make automated electronic
OSS available to Covad for its highest volume loop product. Covad faxes its orders to
BellSouth. BellSouth tries to gloss over this fact by arguing that it "consistently
surpassed by at least 10 percentage points" the benchmarks for manual return of FOCs
and reject notices.[3] Specifically, BellSouth submits data for August, September, and
October of 2001, demonstrating that it rejects CLEC LSRs (CLEC UNE orders, *e.g.*)
within the 10 hour benchmark nearly 100% of the time.

    BellSouth considers this fact cause to celebrate; Covad considers this fact blatant
evidence of the competitive harm it suffers from a manual OSS process. Because
BellSouth is given 10 hours within which to return a reject notifier, Covad can wait ten
hours just to find out if its loop order needs to be resubmitted. That means Covad cannot
tell its customer while on the line that the order is confirmed. BellSouth retail, on the
other hand, enjoys an automated OSS that permits instant confirmation of service orders.
What about in regions of the country where Covad can use automated OSS? While
BellSouth trumpets its 10-hour reject performance in Georgia in August 2001, Covad

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[1]Letter dated December 4, 2001, from Kathleen B. Levitz, Vice President – Federal Regulatory, BellSouth
Corp., to Magalie Salas, Secretary, FCC.
[2] *Id.* at 1.
[3] *Id.* at 2.

received a reject notice from Qwest in Washington State in August 2001 in an average of *9 seconds.*[4] Thus, the order process in Washington State can take place while the customer is still on the phone. The Commission need not look too hard to understand the severe competitive harm that BellSouth's manual processes inflict on companies trying to compete with BellSouth's retail DSL service. Of course, when BellSouth calculates its UNE provisioning interval for manually-ordered loops, it doesn't count the 10 hours that Covad waited for a reject, and then the 10 hours that Covad waited again for confirmation of the corrected order – those intervals are not included in the provisioning intervals. So whereas Qwest adds a grand total of 9 seconds to its provisioning interval, BellSouth could be adding days.

Respectfully submitted,

___/s/ Jason D. Oxman_____

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[4] Qwest makes integrated pre-ordering and ordering EDI available to CLECs.